

### REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Claims 1 and 4 have been amended to include the Markush group recited in claim 2, with the exception that the element Ag has been deleted from the Markush group. Claim 2 has been canceled.

Claims 1-4 were rejected, under 35 USC §102(b), as being anticipated by Yuichi et al. (JP 2002-203593). To the extent the rejections may be deemed applicable to the amended claims, Applicants respectfully traverse.

The Office Action proposes that Yuichi discloses a transition metal element, as previously recited in claim 1, and that the disclosed element is Ag, as previously recited in claim 2 (see Office Action section 3). Claim 1 now recites the Markush group of claim 2 excluding the transition metal element Ag. Yuichi does not disclose a solid electrolyte comprising lithium phosphorus oxynitride and a transition metal element selected from the group consisting of Ti, V, Cr, Mn, Fe, Co, Ni, Cu, Zr, Nb, Mo, Ru, Ta, W, Pt and Au, as recited in claim 1, and the Office Action does not propose otherwise.

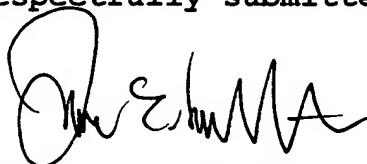
Accordingly, the Applicants submit that Yuichi does not anticipate the subject matter now defined by claim 1.

Independent claim 4 similarly recites the above-described features distinguishing claim 1 from the applied references. Therefore, allowance of claims 1 and 4 and dependent claim 3 is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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